

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

V.

1.71 ACRES OF LAND, MORE OR LESS,
SITUATED IN STARR COUNTY,
TEXAS; AND CITY OF ROMA,
ET AL.,

Defendant.

CASE NO. 7:08-CV-207

SECOND AMENDED COMPLAINT IN CONDEMNATION

On July 1, 2008, this proceeding commenced with the filing of a Complaint (Docket No.1) and Declaration of Taking (Docket No. 2) in this Honorable Court in the name of the United States of America (“United States”) of America for the acquisition of certain interests in lands identified as Tract RGV-RGC-1066, now identified as Tracts RGV-RGC-1066, RGV-RGC-1070, RGV-RGC-1071, RGV-RGC-1072, RGV-RGC-1073, RGV-RGC-1074, RGV-RGC-1075, RGV-RGC-1090, RGV-RGC-1091, RGC-RGC-1092, RGV-RGC-1093, RGV-RGC-1094 and RGV-RGC-1095, situated in Starr County, Texas.

On March 3, 2017, an Amended Complaint in Condemnation was filed (Docket No. 36).

It is now necessary to amend said Complaint in Condemnation as follows:

- a. To correct the descriptions of acquired Tracts RGV-RGC-1093 and RGV-RGC-1095 with the correct final surveys of said land.

1. This is an amendment of a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Director, Border

Air and Marine Program Management Office, Facilities Management and Engineering, Office of Facilities and Asset Management, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of certain interest in real property, under the power of eminent domain through an Declaration of Taking, as amended, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the Act of Congress approved on February 25, 1931, as 46 Stat. 1421 and codified at 40 U.S.C. Section 3114, and the Act of Congress approved August 1, 1888, as 25 Stat. 357 and codified at 40 U.S.C. Section 3113, and any acts supplementary thereto and amendatory thereof; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, Stat. 3009-546, 3009-554, as amended and codified at 8 U.S.C. Section 1103(b) & note; and the Act of Congress approved October 4, 2006, as Public Law 109-295, Title II, 120 Stat. 1355; and is funded by appropriations available to execute the tactical infrastructure program of the U.S. Customs and Border Protection.

4. The public purpose for which said interest in property is taken is to construct roads, fencing, vehicle barriers, security lighting, and/or related structures designed to help secure the United States-Mexico border within the State of Texas.

5. The correct final surveys of the lands heretofore acquired in these proceedings, identified as Tracts RGV-RGC-1093 and RGV-RGC-1095, are set forth in Schedule “DDD” attached hereto and made part hereof, which are in lieu of Schedule “DD” for said tracts attached to the Amended Complaint in Condemnation (Docket No. 36).

It is intended by this amendment that the original Complaint in Condemnation filed in this cause on July 1, 2008 (Docket No. 1) and the amended Complaint in Condemnation filed in this cause in March 3, 2017 (Docket No. 36) are not changed, and are not intended to be changed, in any respect except as hereinabove expressly set forth.

Respectfully submitted,

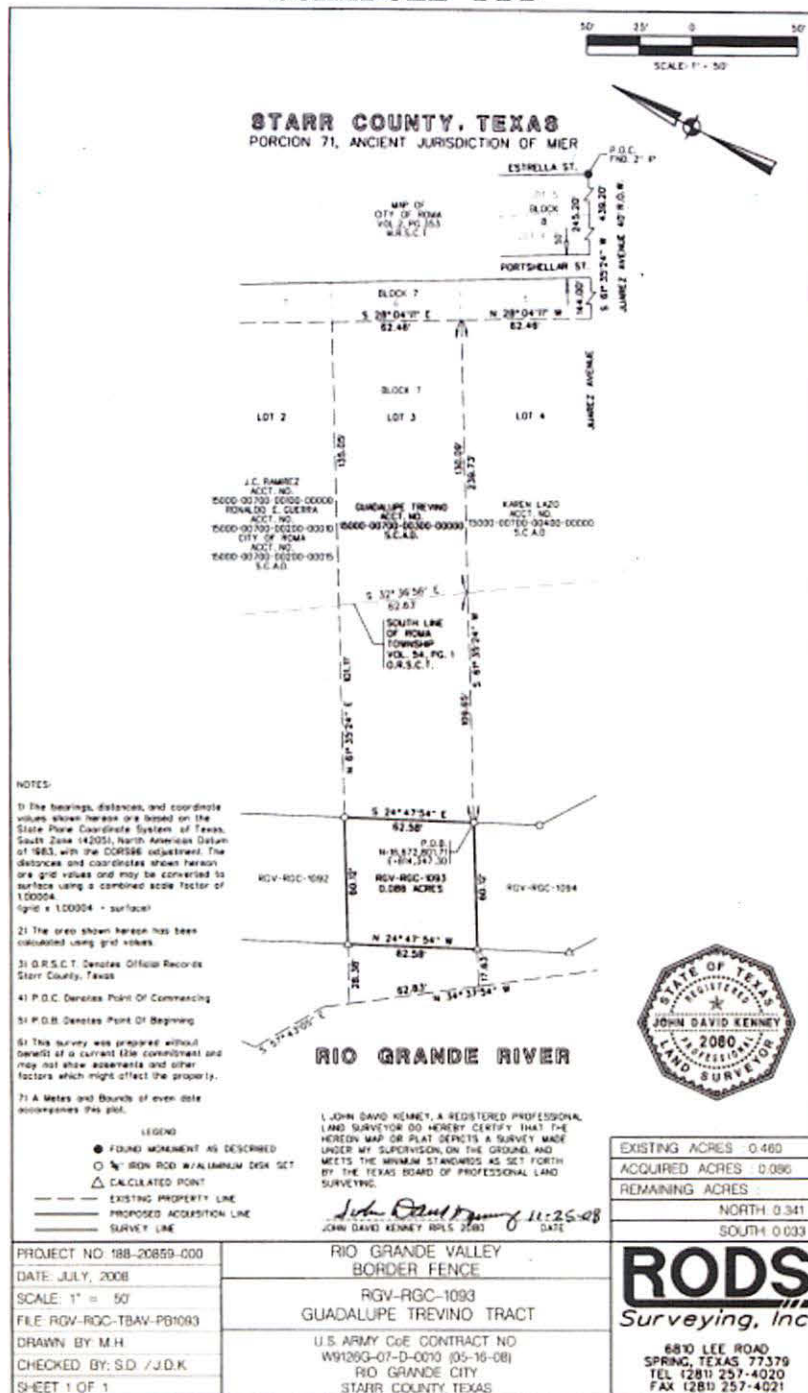
ABE MARTINEZ

Acting United States Attorney
Southern District of Texas

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Schedule DDD

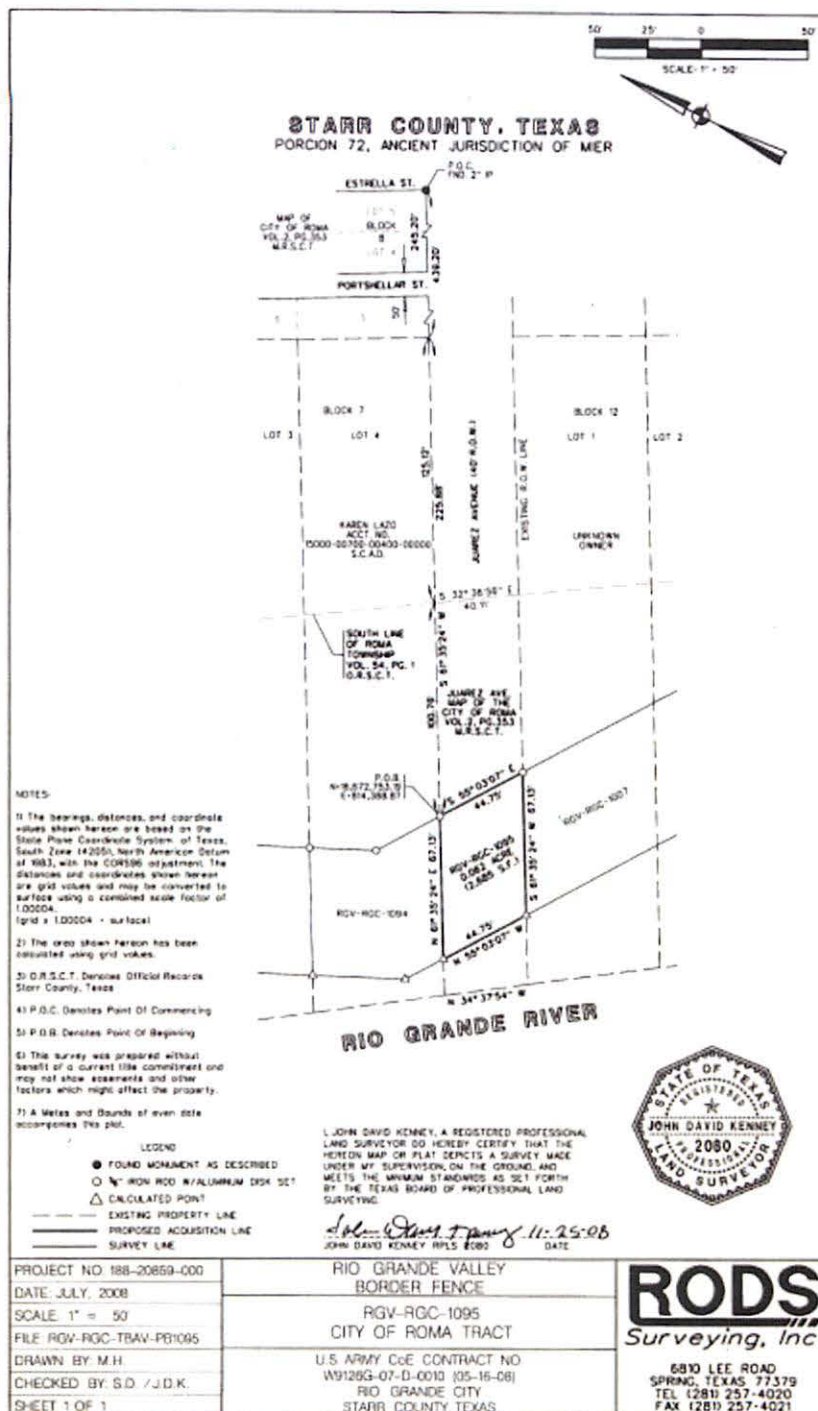
SCHEDULE "DDD"



LAND TO BE CONDEMNED

Tract: RGV- RGC-1093
 Owner: Guadalupe Trevino, et al.
 Acres: 0.086

SCHEDULE "DDD"



LAND TO BE CONDEMNED

Tract: RGV- RGC-1095
Owner: City of Roma, et al.
Acres: 0.062